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Application of: Clendennen *et al.*

Group Art Unit: 1638

Application No.: 09/811,093

Examiner: Mehta, A.

Filing Date: March 16, 2001

Atty. Docket No.: 4257-0025.30

For: Melon Promoters for Expression
of Transgenes in Plants

AMENDMENT AND REPLY
(37 CFR § 1.111)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is responsive to the office action mailed May 08, 2002. It is believed that no fees are required, as the reply is delivered within the shortened statutory period of three months from the mailing date. However, the Commissioner is authorized to charge any required fees, to deposit account no. 50-1108.

AMENDMENT

Amendment to the Claims

Please rewrite claims 1, 5, 7-9, 11, 13, 15, and 19 as follows:

SUB D3
C1
1. (Twice amended) An isolated nucleic acid molecule comprising a MEL7 promoter, wherein the MEL7 promoter comprises a sequence that is within 1560 nucleotides upstream of the MEL7 coding sequence, as presented in SEQ ID NO:46, in cantaloupe melon genomic DNA, and wherein the MEL7 promoter, when operably linked to a transgene, promotes fruit-associated expression of the transgene.

SUB D4
C2
5. (Twice amended) The isolated nucleic acid molecule of claim 1, wherein the MEL7 promoter has the nucleotide sequence presented as nucleotides 156-1708 of SEQ ID NO:42.